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9 Attorneys for Plaintiffs

10  
11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

13  
14 DELPHINE ALLEN, et al.,

15 Plaintiffs,

16 vs.

17 CITY OF OAKLAND, et al.,

18 Defendants.  
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) Case No.: C00-4599 TEH

)  
) **STIPULATION AND ~~PROPOSED~~**  
) **ORDER AMENDING BRIEFING**  
) **SCHEDULE FOR PLAINTIFFS’**  
) **MOTION FOR SANCTIONS AGAINST**  
) **CITY OF OAKLAND POLICE OFFICER,**  
) **J. HARGRAVES AND/OR CITY OF**  
) **OAKLAND POLICE LIEUTENANT, C.**  
) **WONG**

) **Hearing Date: January 9, 2012**

) **Time: 10:00 a.m.**

) **Courtroom: 2, 17<sup>th</sup> Floor**

) **The Honorable Thelton E. Henderson**  
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1 WHEREAS, Plaintiffs have noticed a motion for sanctions against City of Oakland  
2 Police Officer, J. Hargraves, and City of Oakland Police Lieutenant, C. Wong, to be heard on  
3 January 9, 2012;

4 WHEREAS, under the current briefing schedule, any opposition to said motion must be  
5 filed by Monday, November 28, 2011 and any reply to said motion would be due on Monday,  
6 December 5, 2011;

7 WHEREAS, the Defendant City of Oakland, Officer Hargraves and Lt. Wong have not  
8 yet reached an agreement concerning whether the City of Oakland will provide separate legal  
9 counsel to Officer Hargraves and/or Wong because of any conflict of interest its current counsel  
10 may have in representing Officer Hargraves and Lt. Wong in this matter and said parties need  
11 additional time to resolve that issue before opposition(s) to Plaintiffs' motion can be filed;

12 WHEREAS, the undersigned counsel for the City of Oakland, Special Counsel for  
13 Officer Hargraves and Lt. Wong and counsel for the Intervenor, Oakland Police Officers  
14 Association, understand that Plaintiffs' counsel will be unavailable after 12:00 p.m. on  
15 November 23, 2011, to engage in any further meet and confer discussions concerning any  
16 amendment to the briefing schedule due and/or to participate in the filing of this stipulation  
17 and/or other Court documents concerning this issue;

18 WHEREAS, the undersigned counsel for Officer Hargraves and Lt. Wong are not making  
19 a general appearance for these parties at this time, but are appearing at this time for the limited  
20 purpose of requesting that the Court amend the briefing schedule to provide Defendant City of  
21 Oakland, Officer Hargraves and Lt. Wong additional time to resolve the issue of whether conflict  
22 counsel will be provided to Officer Hargraves and Lt. Wong,

23 IT IS HEREBY STIPULATED AND AGREED THAT the briefing schedule on  
24 Plaintiffs' motion for sanctions against Officer Hargraves and Lt. Wong should be amended to  
25 permit them to have additional time to resolve the issue of their legal representation in this matter  
26 to wit: any opposition to Plaintiffs' motion would be due on or before December 12, 2011, and

any reply to said motion would be due on or before December 19, 2011. This Stipulation would have no other effect on the hearing date of the motion absent a further Order from this Court or upon any other dates currently set by the Court in this matter.

IT IS SO STIPULATED:

Dated: December 1, 2011

/S/  
James B. Chanin and John L. Burris  
Attorneys for Plaintiffs

Dated: December 1, 2011

/S/  
Justin Buffington  
Rains Lucia Stern, PC  
2300 Contra Costa Blvd. Suite 500  
Pleasant Hill, CA 94523  
PH: 925.609.1699 FX: 925.609.1690  
Specially Appearing for J. Hargraves and C. Wong

Dated: December 1, 2011

/S/  
Gregory M. Fox  
Attorney for Defendant  
City of Oakland

Dated: December 1, 2011

/S/  
Rockne A. Lucia  
Attorney for Intervenor  
Oakland Police Officers Association

PURSUANT TO STIPULATION,  
IT IS SO ORDERED:

Dated: December 1, 2011

Thelton E. Henderson  
Judge of the Court

